



3510-08-M

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

### **ENVIRONMENTAL PROTECTION AGENCY**

Coastal Nonpoint Pollution Control Program: Proposal to Find that Texas has Satisfied Conditions on Earlier Approval.

**AGENCY:** National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and U.S. Environmental Protection Agency.

**ACTION:** Notice of proposed finding; request for comments.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) (hereafter, “the agencies”) invite public comment on the agencies’ proposed finding that Texas has satisfied all conditions the agencies established as part of their 2003 approval of the State’s coastal nonpoint pollution control program (coastal nonpoint program). The Coastal Zone Act Reauthorization Amendments (CZARA) directs states and territories with coastal zone management programs previously approved under Section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint programs, which must be submitted to the *Federal Register* for approval. Prior to making such a finding, NOAA and the EPA invite public input on the agencies’ rationale for this proposed finding.

**DATES:** Comments are due by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Copies of the proposed findings document may be found on [www.regulations.gov](https://www.regulations.gov) (search for NOAA-NOS-2020-0168) and NOAA’s Coastal Nonpoint Pollution Control Program website at <https://coast.noaa.gov/czm/pollutioncontrol/>.

Comments may be submitted by:

- **Electronic Submission:** Submit all electronic public comments via the Federal eRulemaking Portal. Go to [www.regulations.gov](http://www.regulations.gov) and enter NOAA-NOS-2020-0168 in the Search box, then click the “Comment” icon, complete the required fields, and enter or attach your comments.
- **Mail:** Submit written comments to Joelle Gore, Chief, Stewardship Division (N/OCM6), Office for Coastal Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910; phone (240) 428-7096; ATTN: Texas Coastal Nonpoint Program.

**Instructions:** All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personally identifiable information (for example, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the commenter will be publicly accessible. The agencies will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The agencies will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system).

**FOR FURTHER INFORMATION CONTACT:** Allison Castellan, Office for Coastal Management, NOS, NOAA, 202-596-5039, [allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov); or Brian Fontenot, EPA, 214-665-7286, [fontenot.brian@epa.gov](mailto:fontenot.brian@epa.gov).

**SUPPLEMENTARY INFORMATION:** Section 6217(a) of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. Section 1455b(a), requires that each state (or territory) with a coastal zone management program previously approved under Section 306 of the Coastal Zone Management Act must prepare and submit to the agencies a coastal nonpoint pollution control program for approval. Texas submitted its program to the agencies for approval after gaining federal approval of its coastal zone management program in 1996. The agencies

provided public notice of and invited public comment on their proposal to approve, with conditions, the Texas program (68 FR 16784). The agencies approved the program by the *Federal Register* notice dated October 16, 2003, subject to the conditions specified therein (68 FR 59588). The agencies now propose to find, and invite public comment on the proposed findings, that Texas has satisfied the conditions associated with the earlier approval of its coastal nonpoint program.

The proposed findings document for Texas's program is available at [www.regulations.gov](http://www.regulations.gov) (search for NOAA-NOS-2020-0168) and information on the Coastal Nonpoint Program in general is available on the NOAA website at <https://coast.noaa.gov/czm/pollutioncontrol/>.

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